



General Assembly

January Session, 2001

Bill No. 6706

LCO No. 3753

Referred to Committee on Human Services

Introduced by:

REP. WARD, 86th Dist.

SEN. DELUCA, 32nd Dist.

AN ACT CONCERNING THE TEMPORARY FAMILY ASSISTANCE PROGRAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 17b-104 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (d) For a family living in subsidized housing, income shall be
4 attributed to such family which shall be [eight per cent of the standard
5 of need for such families subject to fill the gap budgeting, and] eight
6 per cent of the payment standard for such [families not subject to fill
7 the gap budgeting. For purposes of this subsection, "fill the gap
8 budgeting" is a method of calculating benefits under the temporary
9 family assistance program whereby countable income is subtracted
10 from the standard of need and a percentage of the difference is paid to
11 the] family.

12 Sec. 2. Section 17b-112 of the general statutes is repealed and the
13 following is substituted in lieu thereof:

14 (a) The Department of Social Services shall administer a temporary
15 family assistance program under which cash assistance shall be
16 provided to eligible families in accordance with the temporary
17 assistance for needy families program, established pursuant to the
18 Personal Responsibility and Work Opportunity Reconciliation Act of
19 1996. Under the temporary family assistance program, benefits shall be
20 provided to a family for not longer than twenty-one months, except as
21 provided in subsections (b) and (c) of this section. For the purpose of
22 calculating said twenty-one-month time limit, months of assistance
23 received on and after January 1, 1996, pursuant to time limits under
24 the aid to families with dependent children program, shall be
25 included. For purposes of this section, "family" means one or more
26 individuals who apply for or receive assistance together under the
27 temporary family assistance program.

28 (b) The Commissioner of Social Services shall exempt a family from
29 such time-limited benefits for circumstances including, but not limited
30 to: (1) A family with a needy caretaker relative who is incapacitated or
31 of an advanced age, as defined by the commissioner, if there is no
32 other nonexempt caretaker relative in the household; (2) a family with
33 a needy caretaker relative who is needed in the home because of the
34 incapacity of another member of the household, if there is no other
35 nonexempt caretaker relative in the household; (3) a family with a
36 caretaker relative who is not legally responsible for the dependent
37 children in the household if such relative's needs are not considered in
38 calculating the amount of the benefit and there is no other nonexempt
39 caretaker relative in the household; (4) a family with a caretaker
40 relative caring for a child who is under one year of age and who was
41 born not more than ten months after the family's enrollment if there is
42 no other nonexempt caretaker relative in the household; (5) a family
43 with a pregnant or postpartum caretaker relative if a physician has
44 indicated that such relative is unable to work and there is no other
45 nonexempt caretaker relative in the household; (6) a family with a
46 caretaker relative determined by the commissioner to be unemployable
47 and there is no other nonexempt caretaker relative in the household;

48 and (7) minor parents attending and satisfactorily completing high
49 school or high school equivalency programs.

50 (c) A family who is subject to time-limited benefits may petition the
51 Commissioner of Social Services for six-month extensions of such
52 benefits. The commissioner shall grant [such an extension to a] not
53 more than two extensions to such family who has made a good faith
54 effort to comply with the requirements of the program and despite
55 such effort has a total family income at a level below the payment
56 standard, or has encountered circumstances preventing employment
57 including, but not limited to: (1) Domestic violence or physical harm to
58 such family's children; or (2) other circumstances beyond such family's
59 control. [Earned income counting towards total family income shall
60 have ninety dollars disregarded. Such family] The commissioner shall
61 disregard ninety dollars of earned income in determining applicable
62 family income. The commissioner may grant a third or a subsequent
63 six-month extension if each adult in the family meets one or more of
64 the following criteria: (A) The adult is precluded from engaging in
65 employment activities due to domestic violence or another reason
66 beyond the adult's control; (B) the adult has three or more
67 substantiated barriers to employment including, but not limited to, the
68 lack of available child care, substance abuse or addiction, severe
69 mental or physical health problems, one or more severe learning
70 disabilities, domestic violence or a child who has a serious physical or
71 behavioral health problem; (C) the adult is working thirty-five or more
72 hours per week, is earning at least the minimum wage and continues
73 to earn less than the family's temporary family assistance payment
74 standard; or (D) the adult is employed and works less than thirty-five
75 hours per week due to (i) a documented medical impairment that
76 limits the adult's hours of employment, provided the adult works the
77 maximum number of hours that the medical condition permits, or (ii)
78 the need to care for a disabled member of the adult's household,
79 provided the adult works the maximum number of hours the adult's
80 caregiving responsibilities permit. Families receiving temporary family
81 assistance shall be notified by the department of the right to petition

82 for such extensions. Notwithstanding the provisions of this section, the
83 commissioner shall not provide benefits under the state's temporary
84 assistance to needy families program to a family that (I) is subject to
85 the twenty-one month benefit limit, and (II) has received benefits
86 beginning on or after October 1, 1996, if such benefits result in that
87 family's receiving more than sixty months of time-limited benefits
88 unless that family experiences domestic violence, as defined in Section
89 402(a)(7)(B), P.L. 104-93.

90 (d) A minor parent who is not married and has a child who is at
91 least twelve weeks of age, who is in such parent's care, shall be
92 ineligible for temporary family assistance unless such parent is
93 participating in educational activities directed toward the attainment
94 of a high school diploma or its equivalent.

95 [(d)] (e) Medicaid eligibility shall be extended for two years to a
96 family who becomes ineligible for cash assistance while employed or a
97 family with an adult who, within six months of becoming ineligible,
98 becomes employed.

99 [(e)] (f) Under said program (1) no family shall be eligible that has
100 total gross earnings exceeding the federal poverty level, however, in
101 the calculation of the benefit amount for eligible families and
102 previously eligible families that become ineligible temporarily because
103 of receipt of workers' compensation benefits by a family member who
104 subsequently returns to work immediately after the period of receipt of
105 such benefits, earned income shall be disregarded up to the federal
106 poverty level; (2) the increase in benefits to a family in which an infant
107 is born after the initial ten months of participation in the program shall
108 be limited to an amount equal to fifty per cent of the average
109 incremental difference between the amounts paid per each family size;
110 and (3) a disqualification penalty shall be established for failure to
111 cooperate with the biometric identifier system.

112 [(f)] (g) A family receiving assistance under said program shall
113 cooperate with child support enforcement, under title IV-D of the

114 Social Security Act. A family shall be ineligible for benefits for failure
115 to cooperate with child support enforcement.

116 [(g)] (h) A family leaving assistance at the end of said twenty-one-
117 month time limit, including a family with income above the payment
118 standard, shall have an interview for the purpose of being informed of
119 services that may continue to be available to such family, including
120 employment services available through the Labor Department. Said
121 interview shall contain a determination of benefits available to said
122 family provided by the Department of Social Services. Said interview
123 shall also include a determination of whether such family is eligible for
124 food stamps or Medicaid. Information and referrals shall be made to
125 such a family for services and benefits including, but not limited to, the
126 earned income tax credit, rental subsidies emergency housing,
127 employment services and energy assistance.

128 [(h)] (i) An applicant or recipient of temporary family assistance
129 who is adversely affected by a decision of the Commissioner of Social
130 Services may request and shall be provided a hearing in accordance
131 with section 17b-60.

132 [(i)] (j) The commissioner may continue to operate under all or
133 portions of the federal waivers granted under Section 1115 of the Social
134 Security Act for the demonstration entitled "Reach For Jobs First".
135 Notwithstanding continuation of the provisions of said federal
136 waivers, the commissioner shall continue the evaluation of the
137 effectiveness of the temporary family assistance program and may
138 continue to utilize a control group using different program
139 requirements.

140 [(j)] (k) The commissioner shall report, annually on or before
141 November fifteenth, to the joint standing committees of the General
142 Assembly having cognizance of matters relating to human services and
143 appropriations and the budgets of state agencies on the funding
144 requirements necessary to support the programs funded by the
145 temporary assistance for needy families block grant.

146 [(k)] (l) The Commissioner of Social Services shall implement
147 policies and procedures necessary for the purposes of this section
148 while in the process of adopting such policies and procedures in
149 regulation form, provided the commissioner prints notice of intention
150 to adopt the regulations in the Connecticut Law Journal within twenty
151 days of implementing such policies and procedures. Final regulations
152 shall be submitted to the legislative regulation review committee no
153 later than November 15, 1997. Policies and procedures implemented
154 pursuant to this subsection shall be valid until the time final
155 regulations are effective.

156 Sec. 3. Section 17b-112g of the general statutes is repealed and the
157 following is substituted in lieu thereof:

158 (a) The Commissioner of Social Services shall offer immediate
159 diversion assistance designed to prevent certain families who are
160 applying for monthly temporary family assistance from needing such
161 assistance. Diversion assistance shall be offered to families that (1)
162 upon initial assessment are determined eligible for temporary family
163 assistance, (2) demonstrate a short-term need that cannot be met with
164 current or anticipated family resources, and (3) with the provision of a
165 service or short-term benefit, would be prevented from needing
166 monthly temporary family assistance.

167 (b) The Commissioner of Social Services shall establish (1) a
168 simplified eligibility determination process for diversion assistance,
169 and (2) an expedited procedure to deliver benefits pursuant to this
170 section. Diversion assistance shall be provided not later than fifteen
171 calendar days from the date the applicant signs a request for diversion
172 assistance. An application for temporary family assistance shall be
173 withdrawn if the Commissioner of Social Services and the applicant
174 agree that diversion assistance would prevent the family from needing
175 temporary family assistance and such diversion assistance is provided.
176 In no event shall the amount of diversion assistance be greater than the
177 cash assistance equivalent of three months of temporary family

178 assistance for such family.

179 (c) Diversion assistance may include, but not be limited to,
180 employment services, child care assistance, transportation assistance,
181 housing assistance, utilities assistance, clothing assistance and
182 assistance with purchasing or maintaining tools necessary for
183 employment.

184 (d) A family receiving diversion assistance shall be ineligible to
185 receive monthly temporary family assistance payments for a period of
186 three months from the date of application for temporary family
187 assistance, except that such family shall be eligible to receive
188 temporary family assistance payments within such period if the
189 Commissioner of Social Services, or [his] the commissioner's designee,
190 in [his] the commissioner's sole discretion, determines that the family
191 has experienced undue hardship. A family that is subject to the
192 twenty-one-month benefit limit under temporary family assistance
193 shall have diversion assistance count as three months toward such
194 limit. Nothing in this [subsection] section shall prohibit a family
195 receiving diversion assistance that later qualifies for temporary family
196 assistance from qualifying for a six-month extension available to
197 recipients of temporary family assistance who did not receive
198 diversion assistance.

199 (e) Notwithstanding the provisions of section 17b-77 and to the
200 extent permitted by federal law, families shall not be required to assign
201 their right to receive child support payments to the state while
202 receiving diversion assistance.

203 [(f) The Commissioner of Social Services shall inform each applicant
204 of the specific benefits and services the family will receive through
205 diversion assistance and the benefits available to such family under
206 temporary family assistance. If the applicant consents to diversion
207 assistance, he may rescind his request for such assistance within three
208 business days of the request for diversion assistance.]

209 [(g)] (f) Nothing in this section shall prohibit a family receiving
210 diversion assistance from being eligible for other social service
211 programs administered by the Department of Social Services
212 including, but not limited to, food stamps, child care assistance,
213 medical assistance and transitional child care and medical assistance
214 benefits.

215 [(h)] (g) The Commissioner of Social Services shall implement the
216 policies and procedures necessary to carry out the provisions of this
217 section while in the process of adopting such policies and procedures
218 in regulation form, provided notice of intent to adopt the regulations is
219 published in the Connecticut Law Journal within twenty days after
220 implementation. Such policies and procedures shall be valid until the
221 time final regulations are effective.

222 Sec. 4. Section 17b-688c of the general statutes is repealed and the
223 following is substituted in lieu thereof:

224 (a) The Department of Social Services shall administer an
225 employment services program for the purpose of providing
226 employment services to recipients of benefits under the temporary
227 assistance [for] to needy families program pursuant to Title IV-A of the
228 Social Security Act. Said program shall include the provision of
229 employment services to recipients of temporary family assistance that
230 will enable them to become employed and independent of cash
231 assistance within twenty-one months of receipt of temporary family
232 assistance.

233 (b) The Department of Social Services shall reduce the benefits
234 awarded to a family under the temporary family assistance program
235 when a member of the family who is required to participate in
236 employment services fails to comply with an employment services
237 requirement without good cause. The first instance of noncompliance
238 with an employment services requirement shall result in a twenty-five
239 per cent reduction of such benefits for three consecutive months. The
240 second instance of noncompliance with such requirement shall result

241 in a thirty-five per cent reduction of such benefits for three consecutive
242 months. A third or subsequent instance of noncompliance with such
243 requirement shall result in the termination of such benefits for three
244 consecutive months. If only one member of a family is eligible for
245 temporary family assistance and such member fails to comply with an
246 employment services requirement, the department shall terminate all
247 benefits of such family for three consecutive months. Notwithstanding
248 the provisions of this subsection, the department shall terminate the
249 benefits awarded to a family under the temporary family assistance
250 program if a member of the family who is not exempt from the twenty-
251 one-month time limit specified in subsection (a) of section 17b-112
252 fails, without good cause, to: (1) Attend the initial Connecticut One-
253 Stop employment services orientation and assessment appointment,
254 except that such individual's benefits shall be reinstated if the
255 individual attends a subsequently scheduled appointment within
256 thirty days of the prior appointment, or (2) comply with an
257 employment services requirement during a six-month extension of
258 benefits. Any individual who fails to comply with the provisions of
259 subdivision (1) of this subsection may submit a new application for
260 such benefits at any time after termination of benefits.

261 (c) The Department of Social Services shall not enter into or renew
262 any contractual obligations for the employment services program that
263 extend beyond June 30, 1998. Within fifteen days after execution of
264 such contractual obligations, the Department of Social Services shall
265 send to the Labor Department a copy of such contracts for the
266 information of the Labor Department.

267 (d) The Commissioner of Social Services shall implement policies
268 and procedures necessary to carry out the purposes of this section
269 while in the process of adopting such policies and procedures in
270 regulation form, provided notice is published in the Connecticut Law
271 Journal within twenty days of implementation of such policies and
272 procedures. [Final regulations shall be submitted to the legislative
273 regulation review committee no later than November 15, 1997.]

274 Policies and procedures implemented pursuant to this section shall be
275 valid until the time final regulations are effective.

276 Sec. 5. Subsection (c) of section 17b-112 of the general statutes is
277 repealed and the following is substituted in lieu thereof:

278 (c) A family who is subject to time-limited benefits may petition the
279 Commissioner of Social Services for six-month extensions of such
280 benefits. The commissioner shall grant such an extension to a family
281 who has made a good faith effort to comply with the requirements of
282 the program and despite such effort has a total family income at a level
283 below the payment standard, or has encountered circumstances
284 preventing employment including, but not limited to: (1) Domestic
285 violence or physical harm to such family's children; or (2) other
286 circumstances beyond such family's control. Earned income counting
287 towards total family income shall have ninety dollars disregarded. The
288 commissioner shall disregard the first fifty dollars per month of
289 income attributable to child support that a family receives in
290 determining eligibility and benefit levels for temporary family
291 assistance. Such family shall be notified by the department of the right
292 to petition for such extensions.

293 Sec. 6. This act shall take effect from its passage, except that sections
294 1 to 4, inclusive, shall take effect October 1, 2001.

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]